

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17209 of 2026

Arising Out of PS. Case No.-1234 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

1. Braj Kishore Bhagat Son of Late Nathuni Bhagat Resident of village and Post - Kolhua Paigamberpur, P.S.- Ahiyapur, District - Muzaffarpur.
2. Suraj Kumar Son of Braj Kishore Bhagat Resident of village and Post - Kolhua Paigamberpur, P.S.- Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate
Mr. Shiv Pratap, Advocate

For the Opposite Party/s: Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-03-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Ahiyapur P.S. Case No. 1234 of 2025, registered for the offence under Sections 329(3), 126(2), 115(2), 109, 352, 3(5) of the B.N.S., lodged on 04.09.2025 by the informant, Nagendra Kumar Kushwaha.

3. As per the prosecution story, the informant alleged that his elder brother (petitioner no. 1) came to the shop along with his family members and after abuse, allegation of assault is there. Petitioner no. 1 hit the informant on his head by lathi while the petitioner no. 2 and others hit him with the rod and



lathi. This was due to property dispute and informant suffered head injury and shifted to the hospital. This led to the FIR.

4. Learned counsel for the petitioners submit that they are agnates, in fact the petitioner no. 1 is own brother of the informant, property dispute is there which led to the exaggerated FIR. The injury is found to be simple in nature.

5. The last submission is that without accepting the allegation or outcome of the present petition, the petitioners intent to pay Rs. 5,000/- (Rs. Five Thousand only) to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

6. Learned APP opposes the prayer submitting that assault to the informant on his head.

7. Taking into account the submissions of the parties as also that a categorical submission of the learned counsel for the petitioners that the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 5,000/- as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local State Bank of India branch/any Nationalized bank branch to be submitted to



the Trial Court and handed over to the informant.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M., Muzaffarpur, in connection with Ahiyapur P.S. Case No. 1234 of 2025, subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Voter Id/Driving License /Pan Card) to show their bona fide;

(ii) the petitioners shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iv) the petitioners shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted



before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

Ranjeet/-

U		T	
---	--	---	--

